had been when he made his first visit to her after his long illness. Then she had been touched, far more than he. She looked at him for a few moments and saw that he felt very strongly.

"Do not distress yourself," she said gently.

"Do not distress yourself," she said gently.

"Pray do not—it hurts me, too. I mean what I say. I do not believe you can be faithful in love now—to any one. You gave all you had to give now—to any one. You gave all you had to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one. You gave all you bad to give now—to any one whether you since we became what we are now, and I will do you justice. I have watched you since we became what we are now, and I will do you justice. I therefore, in behalf of the Reyal Yacht Squadron, and in the name of Lord Dunraven a member of the squadron, challenge to sail a series of matches with the yach alkyrie against any one yested or vessel constructed in the United States, for the America Cup, and would suggest that the match be sailed in August or September, and devoted friend. You see, I meant what I said.

"Yes."
"And yet you have loved better and longer in

other days."

"As I was a better man," he said, finding no other answer, for he knew it was true.

Maddalena sighed. Perhaps she had hoped that this lest time he would say what he had never said—that he had loved her better than Rianca. said-that he had loved fer better. A mean-corpeone.

"You must have been different then." She spoke a little coldly in spite of herself. A mean-nt later she smiled. "How foolish it is of me to think of making comparisons, now that it is all ever," she said. "So you you are not coming to Tuscany this summer, and I shall not see you till next autumn. Why do you not come?".

"I want to be alone a long time," answered Chisleri. "It is much better. I am bad company, and, besides, I am not strong enough to wander about the world yet. I need a long rest."

It seems so strange to think of you as not

"It seems so strange to think of you us not being strong."
"Yes—I who used to be so proud of my strength.
I believe that was my greatest anxiety when I was very young."
"How full of contradictions you are!' Maddalena exclaimed, as she had often done before.
Ghisleri said nothing, for he knew it better than she could. It was growing late, for the sun had gone down and the twilight deepened in the room. He rise to go, and took her hand she stood in beside him.

had gone down and the twilight deepened in the room. He rose to go, and took her hand she stood up besice him.

"Goodby," he said, almost in a whisper. "May God ferrive me, and bless you—always."

"Goodby—dear."

He went out. It had been a strange meeting, and the parting was stranger still. Very often, throughout the long summer months which followed, Ghisleri thought of it, recalling every word and gesture of the woman who had loved him so deeply, and for whom he had nothing left but the poor friendship she was so ready to accept. But that at least he could give her, kindly, lovingly and truthfully, as she herself had said, and he was gratefut to her for asking it of him, shough no kindness of hers could heal the wound he had given himself in injuring her. He thought less harshly of the world for half a year or so after that day, and began to believe that it might not be so abominable a place as he had sometimes been inclined to think it.

Of Adele Savelli he had news often, through neople who were in intimate correspondence with her and with her stepmether, who spent the greater part of the summer at Gerano. From all accounts she had begun to improve with the warm weather, and though she still looked iil and greatly changed from her former self, she was said to be very much better. It was commonly reported that morphine had saved her, and it was whispered that she was a slave to it in consequence. Ghisleri cared very little. He had almost given up the idea that she had been concerned in bringing on Arden's illness, and even if he sometimes still thought she had been, he saw the impossibility of going any further than he had come already up the

Lewis Merriam and C. W. Mason, 4th infantry, and Second Lieutenant E. V. Smith, 3d Infantry. Prior to

of the 20th Infastry, to a paymaster-hip, with the rank of major, is in line with the suggestion made in this column several weeks ago. Not only was Cap-tain Hamner's name mentioned as a prominent candidate, but the selection of officers from the Araly, rather than from civilians for appointments in the cather than from civilians for appointments in the space of the first and second deeds of 2 lift, staff corps was arred as being most desirable by the officers of the Army, and as most beneficial to that military branch of the Federal Government. Captain Hammer cultsted as a private in the Army in tisso, and to day he is the suffer surviver of the hombardment of Fert Sumter in 1801, at which time he rendered it would recommend the New-York Yacht Club to 1800. This is the history and the present condition of the rendered it would recommend the New-York Yacht Club to 1800. of Fort Sumfer in 1861, if which this he received a metal accept a childenge on the lines baid down by distinguished services, for which he received a metal accept a childenge on the lines baid down by from the Chamber of commerce of this city. He him if he would withdraw his reference to the WHAT IS GOING ON AMONG THE CLUBS. from the Chamber of commerce of this city. He was a hero and an intelligent patriot when Fort was a hero and an intelligent patriot when Fort functor was attacked. As seggent in the 1st Artifler, Colonel Lounis L. Langdon's regiment, now stationed at Fort Hamilton, he was among those who were at Fort Moultie, and being inadvertently left behind in the transfer to Fort Sunter he spiked the gains, barned the carriages and forwarded needed supplies to Samter. When the surrender took place it was hist daily to lower the ling. He subsequently re-enlisted, then, on detoter 15, 1861, got a commission as second fleutenant in the Rinder Island Artiflery, and after the war obtained a commission as second fleutenant in the Army.

The recent act of Congress providing, among other things, that no soldier shall be re-enlisted after serv ing ten years in the Army, has been condemned by about all of the offices as an injustice to the soldier and a detriment to the service as well. "The Army and Navy Journal" now takes up the subject, and after commenting upon what is done by the European Powers for its active and discharged soldiers, says: Powers for its active and discharged soldlers, says:

"In this republican country they now tempt a man into the Army by othering him the prospect of a retiring peasion after a service of thirty years, and having secured his enlistment they issue an edict that he must not be permitted to serve more than ten years. They tax him during every month of his ten years' service for his prospective support in the Sciences' Home, and then refuse to permit him to remain long enough in the service to secure the benefits of the Home. This is a dishonest and animally evading of a just obligation."

It is now settled that Lieutenant Virgil Brumback, of the 2d Infantry, whose erratic wanderings have given much trouble to the War Department and some anxiety to his relatives, will have no further claims upon the Army. A few weeks ago he sent in his anxiety to his relatives, will have no further claims anxiety to his relatives, will have no further claims upon the Army. A few weeks ago he sent in his upon the Army. A few weeks ago he sent in his resignation, saying that he intended to engage in resignation, saying that he intended to engage in first—Length of ioniwater fine of challenging vessel to be the only dimension required, this to be sent with the challenge and the Custom-House register to follow the challenge and the Custom-House register to follow. repted. Lieutenant Brumback, because of a reprimend for some minor offence, took leave of his regiment, and after a long search by his brother officers was found living the life of a hermit in the lidaho woods. He was brought back to his regiment, but again wandered away. He was lound again and taken to Washington for mental treatment in the Government Hospital. He there eludge his companions, and the heat heard from him was his letter of resignation.

Captain and Assistant Quartermaster Daulel D. Wheeler, who has been on duty in the office of the depot quartermaster in this city since August 9, 1890, ordered to Chicago as disbursing quartermaster and as assistant to General Bingham, Chief Quartermaster General Miles's department. He relieves Major S. Kimball, who goes to duty in the office of Quartermaster-General at Washington. Captain seeler is the senior in his grade in the Quarter-ster's Department, and he will get his promotion hip the next six months.

said."

"If it is true—if I can be a friend to any one,
"If it is true—if I can be a friend to any one,
"If it is true—if I can be a friend to any one,
"If it is true—if I can be a friend to any one,
"If it is true—if I can be a friend to any one,
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"If it is true—if I can be a friend to any one,
"If it is true—if I can be a friend to any one,
"Yacht Club regarding the latest deed of gift. The leading members of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the terms of the club saw that a striet insistence upon all the club saw that a striet insistence upon all the club saw t sink you for way would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you are to me. You would have the right to be you say, let us not talk about it. We have made you say, let us not talk about it. We have well, as talk liming the dead with a view to talk you and taken place in the sentiment of the club, and one night H. Maitland Kersey remarked to a group of yachtsmen assembled at the club, and one night H. Maitland Kersey remarked to a group of yachtsmen assembled at the club, and one night H. Maitland Kersey remarked to a group of yachtsmen assembled at the club

that he would send over a formal challenge for the cup, provided he was not required to give the dimensions of his yacht other than her length on



THE AMERICA'S CUP.

the load-water line and her custom-house tonnage think it.

He wrote to Maddaleta fron time to time, short letters, which said little, but which she was glad to receive and which she often answered in the same strain, with a small chronicle of small doings made to bear the weight of a sweeping current now and then. Little emough of interest there was in any of those epistles, but there was a general tone in them which assured each that the other had not forzotten that last meeting.

Gisleri did not write to Laura, though he could hardly have told why, especially as he had spoken of doing so Possibly he felt that she would not understand him through a letter as she would not understand him through a letter as she will not understand him through a letter as she will not understand him through a letter as she shad impression.

Lettle emough of interest there was a general tone in them which assured each that the other had not forzotten that last meeting.

Gibleri did not write to Laura, though he could hardly have told why, especially as he had spoken of doing so Possibly he felt that she would not understand him through a letter as she would not understand him through a letter as she would not understand him through a letter as she would not understand him through a letter as she would not understand him through a letter as she would not understand him through a letter as she in the load-water line and her custom-house tomage. He desired that five races be salled, and that the wailed and that five races be salled, and that the wailed and that the challenging yacht nor the defender should benzies to the challenging yacht nor the defender should be proved that five races be salled, and that the waily sought to arrange a match was also mamed valkyrie. She was hunched from the shipyards at Gourock, Scotland, a few weeks age, and so the new Yalkyrie. She was hunched from the should exceed her estimated length by more than that the challenging yacht nor the defender should be ablenging to a special contact the case of estimated length by more than the defender of sti ignoring of the deed of gift, but the New-York nake a bad impression.

Of Adele Savelli he had news often, through Yacht Club held a special meeting to consider Lord Dunrayen's propositions. At this meeting it was argued by General Charles J. Pame that in the mutual agreement clause of the deed of gift a liberal course might be pursued regarding the conditions of a match, and a committee of which the General was made chairman was appointed to arrange a race with Lord Danraven " in accordance with the terms of the last deed of gift."

REPLY OF THE COMMITTEE.

raven, had a consultation with the committee, and



Lord Dunraven then wrote to J. V. S. Oddie, secretary of the New-York Yacht Club, saying that he would send over a formal challenge for the cup, provided he was not required to give the dimensions of his yacht other than her length on THE REPORT ACCEPTED.

The special committee recommended that the challenge be accepted, and make an elaborate report of the negotiations which it had so sucessfully conducted. The report was accepted, and

cessfully conducted. The report was accepted, and the committee continued to arrange further details regarding the match. The next day the Royal Yacht Squadron was officially informed of the acceptance of the challenge.

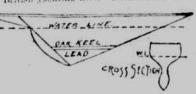
The negotiations which resulted in the challenge began with Lord Durraven's letter of September 16 to Mr. Oddie, and ended with the acceptance of the challenge on December 13, a space of nearly three mouths of constant correspondence. The special committee which brought the negotiations to a successful issue was composed of General Charles J. Paine, James D. Smith, A. Cass Canfield, Archibald Regers and Latham A. Fisk. This result was not obtained without considerable pressure being brought to bear to prevent it on both sides of the water.

brought to bear to prevent it on both sides of the water.

A considerable party of British yachtsmen were opposed to naving a challenge for the cup sent over as long as the New-York Yacht Club adhered to the deed of gift. The British press was generally opposed to any arrangement being artived at which did not involve an entire repudiation of the deed of gift on the part of the New-York Yacht Club, and Lord Dunraven was urged to break off the negotiations. On this side of the water there were yachtsmen who desired a rigid insistence upon the terms of the deed of gift, and some who desired to see it abolished. Lord Dunraven and the committee, however, worked along quietly, and the result of their work satisfied everybody worth satisfying. It being settled that there was to be a race, Lord Dunraven gave an order to Watson, the English designer, for a boat of the required dimensions.

NAMING THE NEW BOAT VALKYRIE.

Lord Dunrayen's old boat with which he had vainly sought to arrange a match was cailed the



On this side of the water as soon as the race was settled upon, orders were given for the building of four boats from which to select a defender of the cup. Two scallests a defender of the cup. Two scallests and the race of the cup. Arden's illness, and even if he sometimes still thought she had been, he saw the impossibility of going any further than he had gone already in the attempt to discover the truth.

The committee sent a letter to the Earl in which, while the deed of gift was insisted on as their contribution.

The premotion of Colonel William Passmore Carlin to the vacant brigadiler generalship makes way for the following officers of the infantry to be promoted to the next bligher grades: Lieutemant-Colonel Robert II. Hall, 16th Infantry: Captain William II. Blisbee, 4th Infantry ground infantry command: First Lieutemant of the custody of another club, it must be held according to the terms of the ideal of like no race.

Mr. Kersey, as representative of Lord Duntile and the committee sent a letter to the Earl in which, while the deed of gift was insisted on as their good four boats from which to select a defender of the cup. Two syndicates were formed in New-York, one headed by Archibald Rosers, and the Chint. These syndicates were formed in New-York, one headed by Archibald Rosers, and the matual agreement clause of the deed would allow a race to be sailed on the terms proposed by his louder. The boat built for the Rogers syndicate with Erreshoff, the Eristol designer and mutual agreement clause of the deed would allow a race to be sailed on the terms proposed by his louder. The boat built for the Rogers syndicates with Herreshoff, the Eristol designer and solider. The boat built for the Rogers syndicates with Herreshoff, the Eristol designer and solider. The boat built for the Rogers syndicates with the cup. Two syndicates were formed in New-York, one headed by Archibald Rosers, and the cup. Two syndicates were formed in New-York, one headed by Archibald Rosers, and the cup. Two syndicates were formed in New-York one headed by Archibald Rosers, and the cup. Two syndicates were formed in New-York one heads to the cup. Two syndicates were formed in New-York one headed by Archibald Rosers, and the cup. Two syndicates were formed t

PINCEPPL POATS PROM BUSTON.

ing through the body of the boat. J. B. Paine is an amateur, and a young one, too. The General probably has at least suggested things in the body. A NEW QUESTION COMES UP.

His letter, however, which he had intended to settle everything, raised a new question, and gave an opening for more negotiations, for in it.

The other Poston boat was lesigned for a syndicity of the progress of her construction.

accept a classification on the lines had done to the product of after the conditions of the lines and the condition of the lines had done to the condition of the lines had done to the lines and the condition of the lines had done to the lines and the lines of the lines and the lines and the lines of the lines and the lines and the lines and the lines of the lines and the lines and

the 46-footers and the 70-footers. If it were not for the coming of the Queen Mab yachtsmen would prob-ably revive the 40-footers as a racing class for 1894. The 40-foot boat is just about the right size for either racing or cruising along the coast.

There will be some good racing in the 25-foot class this year unless all signs fail. I Oswald Sanderson has been having his Pyxie put in racing trim, and his experiments with her last season have taught him many things about the little boat which will be of use to him this season. He is a good sailor, has a good boat and is out to win prizes for the season. A new competitor of the Pyxic's this season will be the Folly, a 25-footer designed by Stewart & Binney for George Ballock, of this city. She has just been launched at Lawley's yards, Boston. She is a fin-keel affair, and her fin is 5 feet 3 inches deep. Without the fin she would draw only 1 foot 3 inches. The Polly has a Long Island Sound. The Herreshoff 25-footer El Long Island Sound. The Herreshoff 25-footer El Chico, owned by il. Maithand Kersey and raced by him last year, is a bulk-keel boat with a fin, and will not be far behind in the races this year. The other boats of the class which are well known for speed are the Needle, Namebess, Smuggler and Nemadgy. The cause of an increase of sail area and a decrease of hull in the new 25-footer is said to be the defeats of the lyxle "down East" last summer. Those races in which the Pyxle was defeated on the other side of the Cape hast season were not, however, exactly good races to test a boat. They were almost all sailed in smooth water and light airs. The Poston boats which she met were more adapted for zephyrs and driffing matches than she, but that hardly makes her out the slowest boat or of a less desirable type.

cup seekers on both sides of the water in the last week was the victory of the Prince of Wales's cutter Britannia over the Vallyrie in the regatta of the Reyal Thames Vacht Club. It was hoped that Watson 2:20, the best one at that gait being 2:231-4, and would put his best efforts into the Valyyrie, so in only in one pacing class were there any miles in the case of the defeat of that boat by the boat chosen to teems. At both meetings in Philadelphia the clip has by English 'yachtsmen that the fastest British boat was not sent over to race for the cap. From the time the two boats were launched, however, it was said by the crities that the Britannia was the faster of the two. Watson bailt the two boats for different purposes, however, and it may be that for crossing the ocean and racing on this side the Valkyrie is still the better boat. Yet it would be gratifying if the Valkyrie had proved herself to be the fastest boat in England before she came over.

"ON THE COAST OF THE HIGH PARREREE." AN ANCIENT SONG WHICH HAS DELIGHTED

PEOPLE.
To the Editor of The Tribune.

sir: Your is ne of Sunday, May 21, has an article on "The Literature of Yachting," quoting a sea song called "Craising Down on the Coast of the High Barberee," This delicious absurdity I have heard sung from my chilihood. My mother sang it for my amuse ment, as her aunt sang it for hers, her remembrance of it dating from the year 1816, when she was six years old. It must have been learned from brothers in the Navy, not later than 1806. The two stanzas remembered by my mother run thus, the variations

There were two ships from Old England sailed, Blow high! blow low! so sailed we. The one was Prince of Luther and the other Prince of Wales. Sailing down the coast of Barberce!

The next stanza recalled (not quoted by your correspondent) runs:

For quarters, for quarters, these pirates they did ery. How high! blow low! so sailed we have the But the quarters we gave them, we haunched them in the sea.

Sailing down the cosst of Barberce!

In the year 1s63 my mother was making the tour of the Great Lakes by steamer. One morning she heard outside her window a sailor holystoming the deck and bellowing forth this ancient song. Before she could dress and question him they were going ashore at Milwautee, and the opportunity was lest. If your correspondent can be persuaded to furnish the missing stances, or indicate where they may be found, the favor will be highly appreciated.

No. 1 Gramercy Purk, May 22.

No. 1 Gramercy Purk, May 22.

The entire song of "The High Barberee," as re membered by the writer, is as follows:

There were two lotty frigates from Gld England came. Blow high blow law land so sailed we. One was the Prince of Luther and the other Prince of Walley, Cruising down on the coast of the High Barberce!

"Oh, bail her? oh, hail her?" our gallant exptain cries, Thus high blook level and so satted with "Are tong a tunis course or a privateer so free!" Crisising dwar on the coast of the High Harberge! "Oh, I'm no man'o war, nor a privateer so free," Blow high: blow low! and so salled we. "But I'm a same pirate and I'll sink you in the wea," Cruising down on the coast of the High Barberes;

Broads do to breadside, long time we lay, Blow high! blow low! and so sailed we. Till the can at the bellion shot the frate's mast away, Cruising down on the toast of the High Harberge! THE LINES OF THE VALKURIE.

more, however, nothing definite can be known as to her qualities of speed.

On this side of the control of the co

Set it was with rare pleasure that I read in your spent a scalaring life. In my carlier days I heard it sing often, with many variations, except that we always were "critising down" and that we "sank them in the scal." There used to be an ancient mariner peace to life ashes who in the summer would come to our house every evening to sing "Cruising Down" for us. No ministrel with a voice divine was ever more welcome than was this old sailor, who nightly told in a life, beard with its old sailor, who nightly told in a life, beard with its own with a constant college.

gives a turill of delight to meet these district blow low! and so sailed we.

If you could give us the rest of that dear old song you would, I son sire, please many people who heard it vears ago, but whose memories, like mine, have not been able to retain it.

New York, May 24.

EXTRAVAGANCE IN CONNECTICUT.

STORES COLLEGE MAY NOT GET THE PEDERAL LAND GRANT FUND.

HARNESS RACING GOSSIP.

THE BICYCLE SULKY CONTINUES TO HELP THE HORSES.

FAST WORK FOR MAY ON HEAVY TRACKS-VI-TELLO THE CHAMPION RACING STAL-LION OF THIS STATE.

Though the campaign for the trotters and pacers this year is later than the three just preceding, the average speed of this month has been considerably higher than usual. Of course, the bicycle sulky i responsible for this, and as the safety wheel had not come into use when the season of 1892 began, any comparison of records must be made with due regard to the advantage obtained by the new appliance. It tire, the exact date of which is June 8, 1892. No other mechanical aid to the light-harness horse which the base been invented at all approaches the one which came into vosue last season, and within a month from its introduction had completely superseded the high wheel, the old style of axle and the flat tire. One of the best evidences of the gain in speed which has come with the bicycle sulky was furnished during the two meetings at Philadelphia, which started the the two meetings at Philadelphia, which started the first regular circuit of 1893. The frequent storms through the early part of May prevented the sort of training necessary to get the horses in race form, and the frincipal news regarding the cup-defenders and the flyers themselves were by no means so far advanced as when they scored up at Baltimore a year before. Though the track at Pinlico was then in

> blcycle wheel. Charles S. Upton, a prosperous man of affairs best known in business as president of the Rochester Lamp Company, had become persuaded that his pacer Vitello would go faster if the same



gear that had done' so much for the wheelmen could be utilized for the speedy stallion. Before the active season of 1892, Mr. Upton had been reported as ordering a set of bleycle wheels, and in several of the turf papers he had been quoted as saying that his favorite Vitelio would be hitched to the new sulky when he filled his engagements of that year. Little attention cas paid to this and the enterprising New Yorker had the field of exploration to himself till the firm of bicycle manufacturers in Massachusetts took up the

Though Mr. Upton's plan was thus anticipated he caped his share of benefit after all, for his fleet ide-wheeler carned a record last season which makes him the champion pacing stallion of the Empire State This distinction he secured at Buffalo during the meeting which followed soon after Grand Circuit week at the same track. Vitello had started in June and won several good races, including a victory over a strong field at Syracuse, where he defeated among others the famous Mascot. Here the stallion threw a shoe in the first heat, and his foot was so much broken that nothing but his extreme gameness carried him to the front in the next three heats. His engagement at Cortland a few days later aggravated the one heat. A vacation, which lasted till the Grand

Second Lieutemant E. V. Smith, 3d Infantry. Prior to the promotion of Colonel Carr to be brigadier-general he and Colonel Carrit were the only two officers below the grade of brigadier-general who had commanded a digision during the Civil War. In promoting Colonel Carrit, who reaches the gree of sixty-four years before the close of 1893, the President has pleased a larger the close of 1893, the President has pleased a larger portion, if not all, of the officers of the arm of the shad a long and distinctive military career.

The smell among decay of the two beats ordered from Beston are of the finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club obtaining the custedy of it was pointed out to him that in case he won finked type. One is owned by General Charles in the cap the club of the cap the club of the cap the price of the subject of a change in finked type. One is owned by General Charles in the cap the club of the cap the proposition of a club of the cap the price of the study, that he cap the price of the study of the best of the price of the west made to the c mous men o'-war hever crubse, so that for years no thought of them has ever come into one's mind it gives a thrill of delight to meet those words, "Blow a faster mife at Mendville, in September, when he

lest the first heat to the son of Favorica whites in 2:16. Then he set a pace that none of the party could approach, making the second heat in 2:12:12, the third in 2:11:12 and the fourth in 2:13:14. This remains as Vitello's best performance, though he went a faster mile at Meadville, in September, when he forced Crawford out in 2:00:34, and was a close second to the buy pacer.

Considering that the New-York champion was greatly himbered by the accident which occurred to him the second time to started, and that the injured foot continued to trouble him during the rest of the season, his record last year places him in the front rank of campaigners. He competed in nine races, winning five of these and getting a share of the money in all the others, except when he had to be drawn on the occasion previously mentioned. He also started a zalust time at Rochester, going one mile in 2:12 late of a supplement of the contents of the contents of the same system in other Sates is now more active than at any previous period for many years.

Among the recent United States decisions of interest

sold his trotters at auction a few years ago, Mr, Upton purchased a roan coit, by Independence, the famous team trotter, out of Krite Sprague, a fast mare that died at Jacob Ruppert's farm near Poughkeepsie has tyear. This youngster has been called Independence, ir., and is four years old. He is now heing developed, and with his apeed inheritance is pretty sure to make a reputation.

The track at Rochester where Mr. Upton's horses are being handled is a centre for training this season, as more than 100 trotters and pacers are quartered there. A large string from Jewett Farm, Buffalo, arrived last week, and having been kept at work on the covered mile track at that big nursery are more advanced than is usual at this period.

FROM BENCH AND BAR.

GATHERED FROM LAWYERS AND AMONG THE COURTS.

Surrogate Frank T. Fitzgerald, though the youngest in term of service and one of the youngest in years, has already attained an honorable place among the members of the New-York Bench. He had no prede-

by a large majority.

Surrogate Fitzgerald is a thorough New-Yorker.

He was born in 1855 in the First Ward of this city, was educated at the public schools and St. Mary's College. After his college course he studied law with the Hon. Smith M. Weed and was graduated from Columbia Law School. He had a fondness for politics, and, identifying himself with the interests of the First Ward, became the most popular young man in that part of the city. He was a candidate for Congress only in one pacing class were there any miles in the teens. At both meetings in Philadelphia the clip has been more rapid than when the season of 1892 was begun, and despite the heavy footbay at Point Breeze the trotters Charley C, and Sadi. M. stepped miles considerably below 2:20. The same thing is true of the meeting just finished at Belmont Park, where Aline leads with her heat in 2:17 on Friday, and it is probable that the improvement will continue till August, the month when the frictionless running gear care into general use. It is unreasonable to suppose that the records will come tumbling down as they did during the closing weeks of last year, unless the bicycle sulky is still further improved.

The credit of bringing out the vehicle which has done more to increase speed than the breeding of half a century belongs to a Boston turfman, but a New-York horseman had been investigating the subject earlier and was fully alive to the merits of the bleck which as a president of the lideycle wheel. Charles S. Upton, a presperous man and the weeks in the trial of the closely contested Hall will case.

At the sale of "The Albany Law Journal" the Law-

At the sale of "The Albany Law Journal" the Lawyers' Co-operative Publishing Company was the highest bidder. The company has been the publisher of some valuable legal publications, including a series of an-notated reports. The notes in these reports are frequently of great value. Some well-known law writers have been in the service of the Lawyers' Co-operative Journal' will be continued under the altorship of some one of these writers. An announcement as to its future will probably soon be made to the members of the profession.

Some cases decided in the last few weeks contain information of value to passengers. Judges Clement and Van Wyck, of the Brooklyn City Court, General Term, hold, in an action against the elevated railroad, that a railroad employe is not bound to look every time that a window is raised by a passenger and see that it is put to the proper height, but a passenger before placing his hand under an open window should see that it is caught. The company is not negligent so as to justify a verdict for injury to a passenger's so as to justify a verdict for injury to a passenger's hand under such circumstances unless the window catch should be defective. Another decision of the same General Term is that the fact that a street rallway company uses cars with open-backed steps, so that there is no riser between the tread of the step and platform, may in itself be negligence on the part of the company, as the safer close-backed steps have been in general use for several years. The General Term of the Supreme Court, Fifth Department, has decided a question on which there have been conflicting opinions by holding that as the law stood between 1880 and 1890 a married woman could begin a suif



SURROGATE FRANK T. FITZGERALD. for damages for personal injury without joining ber hasbend as plaintiff. The General Term of the Su-

Michigan is another State in which the question of

committee of the New York Yach coal and contained in the ferricular of the non-way letters of September 16 New York Yach coal and contained in a New York Yach coal and contained in the ferricular of the ferricu